

# Notice of Allowability

Application No.

10/622,228

Examiner

James J. Leybourne

Applicant(s)

MOSSOR ET AL.

Art Unit

2881

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-55.
3. ☒ The drawings filed on 18 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 07/18/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-55 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the prior art fails to disclose or make obvious a modular wall component, comprising a main container having a second end and a width and a connector container that is an elongated cylinder having a circular cross section that is integrally connected to said second end of the main container wherein the diameter of the connector container is greater than the width of the main container and forms a locking end.

Claims 2-21 are allowed by virtue of their dependency on claim 1.

Regarding independent claim 22, the prior art fails to disclose or make obvious a modular wall component comprising a main container being generally rectangular in shape having a first end, a second end, and a width, wherein the first end is concave in shape with a diameter that corresponds to the circular shape of the cross section of a connector as described in claim 1 thereby forming a receiving end for said connector container.

Claims 23-40 are allowed by virtue of their dependency on claim 22.

Regarding independent claim 41, the prior art fails to disclose or make obvious a shielding wall component comprising a first modular wall component as cited in claim 1,

a second modular wall component as cited in claim 22 and a means for connecting said first modular wall component to said second modular wall component wherein the connector container of the first modular wall component is positioned within the receiving end of the second modular wall component.

Claims 42-47 are allowed by virtue of their dependency on claim 41.

Regarding independent claim 48, the prior art fails to disclose or make obvious a shielding wall comprising a first modular wall component as cited in claim 1 and a second modular wall component as cited in claim 1 and further comprising a means for stacking said first modular wall component on top of said second modular wall component.

Claims 49-55 are allowed by virtue of their dependency on claim 48.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance"

#### ***Relevant Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to show the state of the art with respect to interlocking modular walls.

USPN 4555880 to Gzym et al. and USPN 3844083 to Gunter discloses interlocking wall panels that provide for rotation of the panels.

USPN 5216863 to Nessa et al. disclose interlocking hollow forms that can be used to form modular walls and can be filled with material such as concrete.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Leybourne whose telephone number is (571) 272-2478. The examiner can normally be reached on M-F 9:00- 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on (571) 272-2477. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NIKITA WELLS  
PRIMARY EXAMINER

08/12/04

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JJL